

From: JANNEY &amp; JANNEY

213 483 2576

05/22/2008 08:05

#169 P. 002/004

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17 **UNITED STATES DISTRICT COURT**  
18 **NORTHERN DISTRICT OF CALIFORNIA**  
19 **SAN JOSE DIVISION**

20 IN THE MATTER OF A DEPOSITION  
21 SUBPOENA SERVED IN:

22 F.B.T. PRODUCTIONS, LLC AND  
23 EM2M, LLC,

24 Plaintiffs,

25 v.

26 AFTERMATH RECORDS,  
27 INTERSCOPE RECORDS, UMG  
28 RECORDING, INC., and ARY, INC.,

Defendants.

Case No. 08-80040 Misc. RMW (PVT)

[Related to Case No. CV 07-3314 PSG  
(MANx) (C.D. Cal.)]

**PROOF OF SERVICE VIA HAND  
DELIVERY**

PROOF OF SERVICE VIA HAND DELIVERY

From: JANNEY &amp; JANNEY

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**PROOF OF SERVICE**I, VINCENT AVILA, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is Embarcadero Center West, 275 Battery Street, San Francisco, CA 94111-3305. On May 22, 2008, I served the within documents:

**NON-PARTY STEVE JOBS'S OBJECTION TO ORDER DENYING MR. JOBS'S MOTION FOR PROTECTIVE ORDER TO QUASH "APEX" DEPOSITION SUBPOENA;**

**DECLARATION OF EDDY CUE IN SUPPORT OF NON-PARTY STEVE JOBS'S OBJECTION TO ORDER DENYING MR. JOBS'S MOTION FOR PROTECTIVE ORDER TO QUASH "APEX" DEPOSITION SUBPOENA;**

**DECLARATION OF KEVIN SAUL IN SUPPORT OF NON-PARTY STEVE JOBS'S OBJECTION TO ORDER DENYING MR. JOBS'S MOTION FOR PROTECTIVE ORDER TO QUASH "APEX" DEPOSITION SUBPOENA;**

**DECLARATION OF COLIN B. VANDELL IN SUPPORT OF NON-PARTY STEVE JOBS'S OBJECTION TO ORDER DENYING MR. JOBS'S MOTION FOR PROTECTIVE ORDER TO QUASH "APEX" DEPOSITION SUBPOENA; and**

**[PROPOSED] ORDER SUSTAINING NON-PARTY STEVEN JOB'S OBJECTION TO ORDER DENYING MR. JOB'S MOTION FOR PROTECTIVE ORDER TO QUASH "APEX" DEPOSITION SUBPOENA**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the  
above is true and correct.

18 Executed on May 22, 2008 at San Francisco, California.

Vince  
Signature  
Print Name:

SF1:716414.1

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**PROOF OF SERVICE VIA MAIL**